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Attorneys for Plaintiff,  
PHOENIX SOLUTIONS, INC.

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

PHOENIX SOLUTIONS, INC., a  
California corporation,

Plaintiff,

v.

WELLS FARGO & COMPANY, a  
Delaware corporation,

Defendant.

CASE NO. CV08-00863SBA

**NOTICE OF FILING OF  
AFFIDAVIT OF PROCESS  
SERVICE ON WELLS FARGO &  
COMPANY**

Please take notice that Plaintiff, PHOENIX SOLUTIONS, INC., respectfully submits Affidavit of Process Service of the following documents: Complaint For Damages and Injunctive Relief For Infringement Of U.S. Patent Nos. 6,633,846, 6,665,640, 7,050,977 and 7,277,854 under 35 U.S.C. § 271 and Demand For Jury Trial Pursuant To Fed. R. Civ. Proc., Rule 38; Summons; Civil Coversheet; Certification Of Interested Entities Or Persons; Order Setting Initial Case

NOTICE OF FILING OF AFFIDAVIT OF  
PROCESS SERVICE ON WELLS FARGO  
& COMPANY

-1-

1 Management Conference; And ADR Deadlines; Standing Order For Civil Practice  
2 In Cases Assigned For All Purposes To Magistrate Judge Edward M. Chen; Report  
3 On The Filing Or Determination Of An Action Re A Patent Or Trademark; Notice  
4 Of Assignment Of Case To A Us Magistrate Judge For Trial; Welcome To The US  
5 District Court, San Francisco; US District Court Northern California ECF  
6 Registration Information Handout, attached hereto as Exhibit 1, on the defendant  
7  
8 WELLS FARGO & COMPANY.  
9

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11  
12 Respectfully submitted,

13 TROJAN LAW OFFICES  
14 by

15  
16 Date: March 3, 2008

17 /s/  
18 R. Joseph Trojan  
19 Attorney for Plaintiff,  
20 PHOENIX SOLUTIONS, INC.  
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PROOF OF SERVICE

I am over the age of 18 years, employed in the County of Los Angeles, and not a party to the above entitled action. My business address is 9250 Wilshire Blvd., Suite 325, Beverly Hills, California 90212.

On February 12, 2008, I served:

**NOTICE OF FILING OF AFFIDAVIT OF PROCESS SERVICE ON  
WELLS FARGO & COMPANY**

by transmitting to:

WELLS FARGO & COMPANY  
Registered Agent of Service  
CORPORATION SERVICE COMPANY  
2711 Centerville Road, Suite 400  
Wilmington, DE 19808

[X] BY MAIL: I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on the same day with postage thereon fully prepaid at Beverly Hills, California, in the ordinary course of business. I am aware that on the motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date of deposit for mailing shown on this proof of service.

[X] FEDERAL: I declare, under penalty of perjury under the laws of the United States that the foregoing is true and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on March 3, 2008, at Beverly Hills, California.

/s/

Michiko Speier

# EXHIBIT 1

## **AFFIDAVIT OF PROCESS SERVER**

In The United States District Court for the Northern District of California

Phoenix Solutions, Inc., a California corporation  
Plaintiff(s)

Case No: CV 08 0863 EMC

v

Wells Fargo & Company  
Defendant(s)

I declare that I am a citizen of the United States, over the age of eighteen and not a party to this action. And that within the boundaries of the state where service was effected, I was authorized to perform said service

**Service:** I served Wells Fargo & Company

With the documents: SEE ATTACHED

I served: Mary Drummond, Managing Agent authorized to accept on behalf of Corporation Service Company, Registered Agent

Service Address: 2711 Centerville Road, Suite 400, Wilmington, DE 19808

Date of Service: February 13, 2008

Time of Service: 2:30 p.m.

**Manner of Service:** (X) By personally delivering copies to the person/authorized agent of entity being served.

( ) By leaving, during office hours, copies at the office of the person/entity being served, leaving same with the person apparently in charge thereof

( ) By leaving copies at the dwelling house or usual place of abode of the person being served, with a member of the household 18 or older and explaining the general nature of the papers.

( ) By posting copies in a conspicuous manner to the address of the person/entity being served.

**Non-Service:** After due search, careful inquiry and diligent attempts at the address(es) listed above, I have been unable to effect process upon the person/entity being served because of the following reason(s):

( ) Unknown at address ( ) Evading ( ) Moved, left no forwarding ( ) Other  
( ) Address does not exist ( ) Service canceled by Litigant ( ) Unable to serve in a timely fashion


**Service Attempts:** Service was attempted on \_\_\_\_\_ at \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_,  
\_\_\_\_\_ at \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_.

**Description:** Age: 40's Sex: F Race: B Hgt: 5'6" Wgt: 140 Hair: Brown Glasses: No

I declare under penalty of perjury that the information contained herein is true and correct and this affidavit was executed on:

February 14, 2008 at Wilmington, Delaware  
Date City State

State of Delaware  
County of New Castle

  
Daniel Newcomb, Process Server  
Delaware Attorney Services

2000 Pennsylvania Avenue, Suite 207  
Wilmington, Delaware 19806 (302) 429-0657

Subscribed and Sworn before me, a Notary Public of the State of Delaware on February 14, 2008

Witness My Hand and Official Seal To

  
Kimberly J. Ryan, My Commission Expires 6/15/08  
Notary Public, State of Delaware

**KIMBERLY J. RYAN**  
**NOTARY PUBLIC-DELAWARE**  
My Commission Expires June 15, 2008

**-Complaint For Damages And Injunctive Relief For Infringement Of U.S. Patent Nos. 6,633,846, 6,665,640, 7,050,977 And 7,277,854 Under 35 U.S.C. § 271 And Demand For Jury Trial Pursuant To Fed. R. Civ. Proc., Rule 38;**

**-Summons;**

**-Civil Coversheet;**

**-Certification Of Interested Entities Or Persons;**

**-Order Setting Initial Case Management Conference; And ADR Deadlines;**

**-Standing Order For Civil Practice In Cases Assigned For All Purposes To Magistrate Judge Edward M. Chen;**

**-Report On The Filing Or Determination Of An Action Re A Patent Or Trademark;**

**-Notice Of Assignment Of Case To a US Magistrate Judge For Trial;**

**-Welcome To The US District Court, San Francisco; and**

**-US District Court Northern California ECF Registration Information Handout**